

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People v Charles William Lyons**
Docket No. **259718**
L.C. No. **04-001861-01**

Michael J. Talbot, Judge, acting under MCR 7.217 and MCR 7.211(E)(2), orders:

The motion for reconsideration of the Court's order of April 22, 2005, is GRANTED. On reconsideration, the order of April 22, 2005, is VACATED in its entirety and the appeal is DISMISSED as redundant. The appeal is redundant because the appeal from the judgment of resentencing dated November 17, 2004, continued in defendant-appellant's original appeal that remains pending in docket number 257518. Defendant-appellant could have raised issues with respect to the resentencing in the brief on appeal that he filed in docket number 257518 on January 3, 2005. See MCR 7.208(B)(5)(a).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

June 8, 2005
Date

Sandra Schultz Mengel
Chief Clerk